

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

To: See Attached List

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **June 1, 2009**, at the hour of 10:00 A.M., or as soon thereafter as counsel may be heard, I shall appear before the honorable A. Benjamin Goldgar in Courtroom 613 of the United States Bankruptcy Court, 219 S. Dearborn St., Chicago, Illinois, or any other judge sitting in his place and stead, and shall then and there present the attached **Motion for Entry of Final Decree**, a copy of which is hereby served upon you. You may appear if you so choose.

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CERTIFICATE OF SERVICE

I, David P. Lloyd, an attorney, certify that I caused a copy of the foregoing Notice and Motion to be served on the parties listed on the attached service list by electronic notice where indicated, or by first class mail by depositing with the United States Postal Service, Orland Park, Illinois, postage prepaid, prior to 5:00 P.M., this 14th day of May, 2009.

/s/ David P. Lloyd

David P. Lloyd

Joseph E. Frontzak
08 B 08580
Service List

U.S. Trustee
USTPRegion11.ES.ECF@usdoj.gov

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American Express Gold
Customer Service
P. O. Box 981535
El Paso, TX 79998-1535

Bank of America
P. O. Box 15184
Wilmington, DE 19850-5184

Bank of America
P. O. Box 15027
Wilmington, DE 19850-5027

Chase Merriott Visa
P. O. Box 15298
Wilmington, DE 19850-5298

Citi Cards
P. O. Box 6000
The Lakes, NV 89163-6000

Discover Card
P. O. Box 30943
Salt Lake City, UT 84130

HMM Pallets
3344 South Lawndale Avenue
Chicago, IL 60623-5006

LaSalle Bank, N. A.
135 South LaSalle Street
Chicago, IL 60603

P&R Pallets
c/o Teller, Levit & Silvertrust, P. C.
11 East Adams Street
Chicago, IL 60603

Sears Card
P. O. Box 6924
The Lakes, NV 88901-6924

Washington Mutual Bank
Attention: Small Business Lending
HOU-1319, 3200 SW Freeway
Houston, TX 77027-7528

Wells Fargo Business Direct
P. O. Box 348750
Sacramento, CA 95834

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MOTION FOR ENTRY OF FINAL DECREE

NOW COMES the Debtor, Joseph E. Frontzak, by and through his attorneys, Grochocinski, Grochocinski and Lloyd, Ltd., and moves this honorable Court for entry of a final decree in this confirmed Chapter 11 case, and in support thereof states as follows:

1. The Debtor filed a voluntary Chapter 11 petition on April 9, 2008. The Debtor's Plan was confirmed on January 12, 2009. The Plan provides for payment of a 5% dividend to general unsecured creditors over a five-year period, and modification of certain secured claims that will be paid over a longer period, up to 30 years.
2. Administrative claims that have been allowed by the Court have been paid or otherwise resolved.
3. The initial payment to general unsecured creditors has been made pursuant to the confirmed Plan.
4. Evidence of the payments of the above are set forth on the attached exhibit.
5. Said payments constitute substantial consummation of the confirmed Plan and this case should now be closed.
6. Pursuant to Section 1141(d)(5)(A) of the Bankruptcy Code, the Debtor will not be entitled to a discharge until completion of all payments under the Plan. However, judicial economy

will not be served by keeping this case open until the five-year period for paying general unsecured claims has passed. In addition, the Debtor should not be required to make quarterly payments to the United States Trustee during the five-year period, in which no action will be required by the Debtor, the Court, or the United States Trustee.

7. The Debtor has provided for payments beyond the five-year term of the Plan to certain secured creditors. Given that no reasonable interpretation of Section 1141(d)(5)(A) would contemplate that the Court keep this case open, or withhold granting of a discharge, for the 30 years during which the Debtor will be paying long-term debt, the Debtor should be entitled to a discharge after completion of payments to general unsecured creditors.

WHEREFORE the Debtor prays that the Court enter a final decree and direct the Clerk of the Court to close the case, with leave to reopen the case without payment of a reopening fee for the sole purpose of entering a discharge upon completion of all payments to general unsecured creditors under the confirmed Plan, or otherwise as provided by Section 1141(d)(5).

Respectfully submitted,
Joseph E. Frontzak

By: /s/ David P. Lloyd
One of his attorneys

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